

***[NO MINUTES WERE GENERATED FOR  
WEDNESDAY, FEBRUARY 17, 2010,  
IN OBSERVANCE OF THE JUDICIAL BRANCH FURLOUGH.]***

286

**SUPREME COURT MINUTES  
THURSDAY, FEBRUARY 18, 2010  
SAN FRANCISCO, CALIFORNIA**

**S162435**      B189898 Second Appellate District, Div. 8      **McCANN (TERRY) v.  
FOSTER WHEELER LLC**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed and the matter is remanded to that court with directions to address plaintiff's additional contention that the trial court erred in finding that the boiler in question constituted an improvement to real property within the meaning of the relevant Oklahoma statute of repose. (See, ante, at p. 23, fn.7.)

Majority Opinion by George, C. J.

-- joined by Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S164692**      A115223 First Appellate District, Div. 2      **McCARTHER (KIMBERLY)  
v. PACIFIC TELESIS GROUP**

Opinion filed: Judgment reversed

We reverse the judgment of the Court of Appeal.

Majority Opinion by Moreno, J.

-- joined by George, C. J., Kennard, Baxter, Chin, Corrigan, JJ., and O'Rourke, JPT.

**S054774**      **PEOPLE v. TAYLOR (KEITH  
DESMOND)**

Rehearing denied

**S178320**      B204943 Second Appellate District, Div. 7      **BAYCOL CASES I AND II**  
Petition for review granted

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S179378** A125496/A125714 First Appellate District, Div. 4      **TARRANT BELL PROPERTY  
LLC v. S.C. (ABAYA)**

Petition for review granted

Baxter, J., was recused and did not participate.

Votes: George, C. J., Kennard, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S179475**      A127100 First Appellate District, Div. 1      **GRESSETT (GRESSETT) v. S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, First Appellate District, Division One, with directions to issue an alternative writ

The matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its order denying the petition for writ of mandate and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

The request for stay is denied without prejudice to petitioner seeking a stay in the Court of Appeal, if necessary.

Votes: George, C. J., Kennard, Werdegarr, Chin, and Moreno, JJ.

**S177774**      D054619 Fourth Appellate District, Div. 1      **GOMEZ (PABLO) v. CITY OF SAN DIEGO**

The petition for review is denied.

The court will refer the concerns raised by petitioner and amicus curiae to the Judicial Council for consideration of a possible change to the California Rules of Court.

**S177880**      F056745 Fifth Appellate District      **KESSLER (KELLY ALICE) ON H.C.**

Petition for review denied

**S178147**      B213734 Second Appellate District, Div. 1      **PEOPLE v. SILVA (FRANK)**  
Petition for review denied

**S178175**      E046806 Fourth Appellate District, Div. 2      **PEOPLE v. S.C. (JENNINGS)**  
Petition for review denied

**S178193**      B206794 Second Appellate District, Div. 7      **PEOPLE v. ELLIS (RUDOLPH)**

Petitions for review denied

**S178528**      C059495 Third Appellate District      **PEOPLE v. LEHMAN (JOSHUA JAY)**

Petition for review denied

<b>S178622</b>	B214172 Second Appellate District, Div. 7	<b>PEOPLE v. RETANO (JASON JEFFREY)</b>
Petition for review denied		
<b>S178660</b>	B207923 Second Appellate District, Div. 4	<b>PEOPLE v. PORTER (DERRICK DONTAY)</b>
Petition for review denied		
<b>S178664</b>	E049668 Fourth Appellate District, Div. 2	<b>HARVEY (MARK STEVEN) v. S.C. (PEOPLE)</b>
Petition for review denied		
<b>S178689</b>	H032734 Sixth Appellate District	<b>PEOPLE v. PAKES (MILAN)</b>
Petition for review denied		
<b>S178691</b>	D053082 Fourth Appellate District, Div. 1	<b>PEOPLE v. CHILLIS (MARION)</b>
Petition for review denied		
<b>S178692</b>	C061623 Third Appellate District	<b>PEOPLE v. ZUNIGA (MARCELINO)</b>
Petition for review denied		
<b>S178709</b>	G034189 Fourth Appellate District, Div. 3	<b>PEOPLE v. GALLAND (ANTHONY ANDREW)</b>
Petition for review denied		
<b>S178712</b>	B211584 Second Appellate District, Div. 8	<b>CREDIT SUISSE FIRST BOSTON MORTGAGE CAPITAL v. DANNING, GILL, DIAMOND &amp; KOLLITZ LLP.</b>
Petition for review & depublication request(s) denied		

- S178724**      E045468 Fourth Appellate District, Div. 2      **PEOPLE v. COHENS (SHAWN MAURICE)**  
Petition for review denied; CA opinion decertified  
The petition for review is denied.  
On the court's own motion, the Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed November 9, 2009, which appears at 178 Cal.App.4th 1442. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.) Kennard, J., is of the opinion the petition should be granted.
- S178735**      F054990 Fifth Appellate District      **PEOPLE v. VANG (HUA)**  
Petition for review denied  
Baxter, J., is recused and did not participate.
- S178746**      A123064 First Appellate District, Div. 4      **PEOPLE v. SANDERS, JR., (TROY CEBRAN)**  
Petition for review denied
- S178753**      H032378 Sixth Appellate District      **EPIC COMMUNICATIONS, INC. v. RICHWAVE TECHNOLOGY, INC.**  
Petition for review denied  
The request for judicial notice is denied.
- S178760**      G042205 Fourth Appellate District, Div. 3      **PERLAN THERAPEUTICS, INC. v. S.C. (NEXBIO)**  
Petition for review denied
- S178766**      B212524 Second Appellate District, Div. 6      **SUSTAINABLE TRANSPORTATION ADVOCATES OF SANTA BARBARA v. SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS**  
Petition for review & depublication request(s) denied

**S178790** C058629 Third Appellate District

Petition for review denied

**PEOPLE v. ANDERSON  
(AARON)**

**S178814** B220155 Second Appellate District, Div. 8

Petition for review denied

The request for judicial notice is denied.

**ALLEN (WILLIAM) ON H.C.**

**S178838** A122900 First Appellate District, Div. 5

Petition for review denied

**IN RE JENNIFER S.**

**S178839** F056282 Fifth Appellate District

Petition for review denied

**PEOPLE v. HARRIS (BRYAN  
LEE)**

**S178865** A122212 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CARTER  
(CHARLES JOSEPH)**

**S178878** F055957 Fifth Appellate District

Petition for review denied

**PEOPLE v. STANBROUGH  
(TIMOTHY JAMES)**

**S178882** D053935 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GASTELUM  
(JESUS RAMON)**

**S178897** E049737 Fourth Appellate District, Div. 2

Petition for review denied

**RODGERS (KENNETH  
SCOTT) ON H.C.**

**S178899** H033719 Sixth Appellate District

Petition for review denied

**PEOPLE v. NEGRON  
(GABRIEL)**

**S178912** E046755 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BLAKAJ  
(KUJTIM)**

**S178913** E049784 Fourth Appellate District, Div. 2

Petition for review denied

**ERWIN (JAMES H.) v. S.C.  
(PEOPLE)**

**S178919** F058359 Fifth Appellate District

Petition for review denied

The request for judicial notice is granted.

**BAKKEN (CHRISTOPHER  
DUANE) ON H.C.**

**S178926** H032698 Sixth Appellate District

Petition for review denied

**PEOPLE v. VALLEJO (JOHN)**

**S178938** H033845/ H033846/ H033847/ H033848  
Sixth Appellate District

Petition for review denied

**LANGHORNE (WILLIAM) v.  
S.C. (PEOPLE)**

**S178954** D056189 Fourth Appellate District, Div. 1

Petition for review denied

**MARTINEZ (MARIO) ON  
H.C.**

**S178956** B211755 Second Appellate District, Div. 5

Petition for review denied

**ELECTRIC POINTE LLC v.  
CALIFORNIA COASTAL  
COMMISSION**

**S178974** A127056 First Appellate District, Div. 3

Petition for review denied

**BOWENS (CRAIG L.) ON H.C.**

**S179008** E049731 Fourth Appellate District, Div. 2

Petition for review denied

**INGRAM (JAMES) ON H.C.**

**S179023** A126208 First Appellate District, Div. 1

Petition for review denied  
Corrigan, J., was recused and did not participate.

**FOREMOST INSURANCE  
COMPANY v. S.C. (OSCAR E.  
ERICKSON, INC.)**

**S179033** B220611 Second Appellate District, Div. 6  
Petition for review denied

**TAKHAR (HARJOT) ON H.C.**

**S179071** F058717 Fifth Appellate District

Petition for review denied

**GARCIA (SALVADOR) ON  
H.C.**

**S179089** C061355 Third Appellate District

Petition for review denied

**PEOPLE v. WASHINGTON  
(TERRY LEE)**

**S179096** A126407 First Appellate District, Div. 2

Petition for review denied

**LASKEY (LAURIE MARIE) v.  
PLATT ELECTRIC SUPPLY**

**S179108** F057387 Fifth Appellate District  
Petition for review denied

**IN RE M.S.**

**S179172** D056382 Fourth Appellate District, Div. 1

Petition for review denied

**WALKER (STEVEN ERIC)  
ON H.C.**

**S179173** F058256 Fifth Appellate District

Petition for review denied

**PIERCE (RUSSELL W.) ON  
H.C.**

**S179203** D055951 Fourth Appellate District, Div. 1  
Petition for review denied

**WALLACH (JOEL) ON H.C.**

**S179205** H032183 Sixth Appellate District

Petition for review denied

**DAVIS (STEVEN R.) v. FIRST  
HEALTH GROUP**

**S179215** B220376 Second Appellate District, Div. 3

Petition for review denied

**FULTON (MICHAEL) ON  
H.C.**

**S179221** G038306 Fourth Appellate District, Div. 3

Petition for review denied

**LE PLASTRIER (GEOFFREY  
R.) v. PHILLIPS (GERALD)**

**S179237** B213009 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. SHAW (SHAWN)**

**S179242** B220740 Second Appellate District, Div. 8

Petition for review denied

**CARDENAS (GILBERT) ON  
H.C.**

**S179260** B205459 Second Appellate District, Div. 4

Petition for review denied

**RIVAS (MARIA ELIZABETH)  
v. MARTHA A. JONES TRUST**

**S179269** B220912 Second Appellate District, Div. 2

Petition for review denied

**KERDIYA (HOUSSAM M.)  
ON H.C.**

**S179275** A126404 First Appellate District, Div. 5

Petition for review denied

The request for judicial notice is granted.

**BURNIGHT (JON) ON H.C.**

**S179276** B211269 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. BONNER  
(ARTHUR LVONNE)**



**S179288** F056871 Fifth Appellate District

Petition for review denied

**BARADAT & EDWARDS v.  
LOEB (EDWIN)**

**S179297** G042422 Fourth Appellate District, Div. 3

Petition for review and application for stay denied

**SINGH (GURPREET) AND  
GREWAL (DAIZY),  
MARRIAGE OF**

**S179305** A126495 First Appellate District, Div. 2

Petition for review denied

**DARIA (AARON) ON H.C.**

**S179319** B221162 Second Appellate District, Div. 2

Petition for review denied

**ENDSLEY (MARK) ON H.C.**

**S179320** F056291 Fifth Appellate District

Petition for review denied

**PEOPLE v. GONZALEZ  
(NICOLAS JUAN)**

**S179326** A117521/ A119606 First Appellate District, Div. 2 **ELSTEAD (JOHN CLIFTON)  
v. JP MORGAN CHASE  
BANK**

Petition for review denied

**S179334** F056149 Fifth Appellate District

Petition for review denied

**CLARKE (STANLEY  
BRADFORD) v. BERNSTEIN  
(ROBERT)**

**S179335** H033265 Sixth Appellate District

Petition for review denied

**PEOPLE v. SINGH  
(SALINDER)**

**S179339** C061764 Third Appellate District

Petition for review denied

**IN RE R.R.**

**S179340** C063711 Third Appellate District

Petition for review denied

**HALLFORD (GARY) v. S.C.  
(PEOPLE)**

**S179346** H033432 Sixth Appellate District

Petition for review denied

**PEOPLE v. MASCHINO  
(LAWRENCE EMILIO)**

**S179348** B213382 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ESPINOZA  
(STEVE A.)**

**S179350** B213805 Second Appellate District, Div. 4

Petition for review denied

**IN RE J.P.**

**S179356** B213020 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. LEE (CLIFTON  
L.)**

**S179357** F056440 Fifth Appellate District

Petition for review denied

**PEOPLE v. WILSON  
(WILLIAM)**

**S179359** B221131 Second Appellate District, Div. 2

Petition for review denied

**RHODIA, INC. v. S.C.  
(DIAMOND)**

**S179362** F057109 Fifth Appellate District

Petition for review denied

**PEOPLE v. ASTORGA  
(PABLO HUMBERTO)**

**S179365** B210391 Second Appellate District, Div. 6

Petition for review denied

**J. CARDENAS & SONS, INC.  
v. DAVENPORT (REGINALD  
E.)**

**S179369** B211200 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. WASHINGTON  
(ANTWAIN)**

**S179370** E045967 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GRIFFIN  
(HAROLD ROY)**

**S179372** E046066 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SLAYTON  
(DOMINIC DESHAWN)**

**S179373** E047256 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MONTGOMERY  
(AARON LEROY)**

**S179376** B215246 Second Appellate District, Div. 5

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Lopez*, S177046.

**PEOPLE v. PETILLO  
(ISAIAH)**

**S179382** D054633 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. RODRIGUEZ  
(SERGIO)**

**S179383** F056587 Fifth Appellate District

Petition for review denied

**RUDNICK (OSCAR) v.  
RUDNICK (PHILIP)**

**S179385** B212074 Second Appellate District, Div. 2

Petition for review denied

**GUESSOUS (MOHAMMED  
AMAL) v. CHROME HEARTS  
LLC**

<b>S179393</b>	B211451 Second Appellate District, Div. 7	<b>PEOPLE v. WILLIAMS (ROY)</b>
Petition for review denied		
<b>S179395</b>	A122411 First Appellate District, Div. 5	<b>PEOPLE v. ALLEN, JR. (JOEL CLAYTON)</b>
Petition for review denied		
<b>S179396</b>	H034328 Sixth Appellate District	<b>PEOPLE v. DOMINGUE (HAROLD EDWARD)</b>
Petition for review denied		
<b>S179398</b>	C058349 Third Appellate District	<b>PEOPLE v. MOORE (BRUCE LARRY)</b>
Petition for review denied		
<b>S179405</b>	A123195 First Appellate District, Div. 3	<b>PEOPLE v. JIHAD (JESUS WARITH)</b>
Petition for review denied		
<b>S179410</b>	C056767 Third Appellate District	<b>PEOPLE v. ESPINOZA (ERNESTO BECERRA)</b>
Petition for review denied		
<b>S179420</b>	E046970 Fourth Appellate District, Div. 2	<b>PEOPLE v. BROWN III (JACK)</b>
Petition for review denied		
<b>S179429</b>	C058613 Third Appellate District	<b>PEOPLE v. AGUILAR (DANIEL)</b>
Petition for review denied		
<b>S179431</b>	E046047 Fourth Appellate District, Div. 2	<b>PEOPLE v. MATTISON (ROBIN FREDERICK)</b>
Petition for review denied		

**S179433**      A122557 First Appellate District, Div. 4  
Petition for review denied

**PEOPLE v. EMORY (CHRIS)**

**S179437**      H034848 Sixth Appellate District  
  
Petition for review denied

**RYAN COMPANY, INC. v.  
S.C. (EHINGER)**

**S179442**      H035105 Sixth Appellate District  
  
Petition for review denied

**HERNANDEZ (JOSE ANGEL)  
v. S.C. (PEOPLE)**

**S179447**      G041428 Fourth Appellate District, Div. 3  
  
Petition for review denied

**PEOPLE v. CHAVEZ  
(RACHEL ANGEL)**

**S179450**      B213401 Second Appellate District, Div. 4  
  
Petition for review denied

**PEOPLE v. BURGESS  
(BRUCE)**

**S179459**      G040444 Fourth Appellate District, Div. 3  
  
Petition for review denied

**PEOPLE v. PIEDRASANTA  
(GUSTAVO ADOLFO)**

**S179461**      A122942 First Appellate District, Div. 4  
  
Petition for review denied

**PEOPLE v. TAYLOR (DEREK  
H.)**

**S179462**      F055972 Fifth Appellate District  
  
Petition for review denied

**PEOPLE v. HERNANDEZ  
(DAVID)**

**S179474**      B209507 Second Appellate District, Div. 7  
  
Petition for review denied

**PEOPLE v. THIBODEAUX  
(DARTWAUN)**

<b>S179482</b>	B209950 Second Appellate District, Div. 5	<b>PEOPLE v. FREEMAN (ERNEST)</b>
Petition for review denied		
<b>S179491</b>	B218918 Second Appellate District, Div. 5	<b>BROWN (ERIC) ON H.C.</b>
Petition for review denied		
<b>S179492</b>	A122227 First Appellate District, Div. 1	<b>PEOPLE v. HURTADO (RONALD NATHANIEL)</b>
Petition for review denied		
<b>S179493</b>	A126783 First Appellate District, Div. 1	<b>BROWN (NERRAH) v. S.C. (PEOPLE)</b>
Petition for review & application for stay denied		
<b>S179497</b>	A123426 First Appellate District, Div. 2	<b>PEOPLE v. MYERS (ANTHONY WAYNE)</b>
Petition for review denied		
<b>S179503</b>		<b>THOMAS (KEITH) v. S.C. (UCLA/HARBOR GENERAL HOSPITAL)</b>
Petition for writ of mandate/prohibition denied		
<b>S179511</b>	B210684 Second Appellate District, Div. 3	<b>PEOPLE v. CERNOGG, JR., (JAMES RUSSELL)</b>
Petition for review denied		
<b>S179516</b>	B211822 Second Appellate District, Div. 5	<b>PEOPLE v. TURNER (DERRICK M.)</b>
Petition for review denied		
<b>S179521</b>	C055674 Third Appellate District	<b>IN RE J.B.</b>
Petition for review denied		

**S179526****WILLIAMS (FLOYD) v.  
COURT OF APPEALS,  
SECOND APPELLATE  
DISTRICT, DIVISION  
THREE, (DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION)**

Petition for writ of mandate/prohibition denied

**S179583**      B221325 Second Appellate District, Div. 6  
Petition for review denied**ARMIJO (GILBERT) ON H.C.****S180011**      B221175 Second Appellate District, Div. 4  
Petition for review denied**LAZARUS (STEPHANIE  
ILENE) v. S.C. (PEOPLE)****S166955****SALISBURY (KEITH) ON  
H.C.**

Petition for writ of habeas corpus denied

**S167018****CLAY (KEVIN EUGENE) ON  
H.C.**

Petition for writ of habeas corpus denied

**S171317****OCEGUEDA (ARTURO  
ANTONIO) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304, *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S174979**      E040449 Fourth Appellate District, Div. 2**ADAIR (DAVID JAMES) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S175192****ROMERO (STEVE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S175723****HERNANDEZ (ALFREDO)  
ON H.C.**

Petition for writ of habeas corpus denied

**S175877****WOOTEN (ROOSEVELT) ON  
H.C.**

Petition for writ of habeas corpus denied

**S176015****BILLA (VIKRAM GILL) ON  
H.C.**

Petition for writ of habeas corpus denied

**S176059****HAMILTON (JERRY FRED)  
ON H.C.**

Petition for writ of habeas corpus denied

**S176117****RHINE (MICHAEL THOMAS)  
ON H.C.**

Petition for writ of habeas corpus denied

**S176218****SHAFFER (DAVID LLOYD)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S176225****CURIEL (FREDDY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S176227****McKINLEY (DONNIE RAY)  
ON H.C.**

Petition for writ of habeas corpus denied



**S176232****HAYES (LAWRENCE P.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S176316****FLEMING (ROMILIEN A.)  
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)**S176321****HOWELL (MELISSA  
CHARMAINE) ON H.C.**

Petition for writ of habeas corpus denied

**S176341****WICKERWARE (MELVIN)  
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S176357****GARZA (MICHAEL ABUBO)  
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218.)**S176835****MACKBEE (DAMON) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S176910****DANIEL (DEMETRIUS) ON  
H.C.**

Petition for writ of habeas corpus denied

**S177066****BARBOZA, JR., (ANTONIO)  
ON H.C.**

Petition for writ of habeas corpus denied

**S177305****ROGERS (JOHN DENNIS) ON  
H.C.**

Petition for writ of habeas corpus denied

**S177461****DUCHINE (JOHN ALLEN)  
ON H.C.**

Petition for writ of habeas corpus denied

**S177572****WILSON (THEODORE  
O'DELL) ON H.C.**

Petition for writ of habeas corpus denied

**S177863****PASHKO (ROBERT A.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S177865****NASH (CHRISTOPHER) ON  
H.C.**

Petition for writ of habeas corpus denied

**S178049****YOUNG (HOWARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S178050****YOUNG (HOWARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)

**S178182****KOKLICH (BRUCE DAVID)  
ON H.C.**

Petition for writ of habeas corpus denied

**S178280****YOUNG (HOWARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S178764****WILLIAMS (SHADALE  
LEWIS) ON H.C.**

The petition for writ of habeas corpus is denied.  
Moreno, J., was recused and did not participate.

**S178784****GONZALES (RICKY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S178805****REYES (ABEL P.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)

**S178815****WINDHAM (CHARLES) ON  
H.C.**

Petition for writ of habeas corpus denied

**S179535****COLEMAN (DARREN KENT)  
ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

**S179553****OWENS (ERVIN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S179597****HOOVER (CROSSAN) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S179600****MORRIS (ROBERT L.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S179615****ABDULLAH (HANIF S.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S179628****AMES (JEFFREY M.) ON H.C.**

Petition for writ of habeas corpus denied

**S179658****FELIX (BRIAN) ON H.C.**

Petition for writ of habeas corpus denied

**S179747****WARREN (BOBBIE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S179882****RUBIO (MARIO RENE) ON  
H.C.**

Petition for writ of habeas corpus denied

**S179914****JOHNSON (KENNETH  
JAHMALL) ON H.C.**

The application for stay and petition for writ of habeas corpus are denied.

**S180015****LAZARUS (STEPHANIE  
ILENE) ON H.C.**

Petition for writ of habeas corpus denied

**S178501**

A123458 First Appellate District, Div. 2

**XU (HUA CAO) v.  
GHIGLIOTTI (JEROME J.)**

Publication request denied (case closed)

**S178922**

E045057 Fourth Appellate District, Div. 2

**GOODRICH CORPORATION  
v. CITY OF RIALTO  
(THOMPSON)**

Publication request denied (case closed)

**S178980**      B214625 Second Appellate District, Div. 2      **IN RE M.F.**  
Publication request denied (case closed)

**S179211**      B209835 Second Appellate District, Div. 2      **RUTTER HOBBS &  
DAVIDOFF, INC. v.  
BESSEMER TRUST  
COMPANY OF  
CALIFORNIA/(MARRERO)**  
  
Publication request denied (case closed)

**S179328**      B208699 Second Appellate District, Div. 5      **KIM SENG COMPANY v.  
GREAT AMERICAN  
INSURANCE COMPANY OF  
NEW YORK**  
  
Depublication request denied (case closed)  
The request for an order directing depublication of the opinion in the above-entitled appeal is denied.  
The court declines to review this matter on its own motion. The matter is now final.

**S179364**      B211331 Second Appellate District, Div. 7      **LOS ANGELES CITY v.  
W.C.A.B (STATE OF  
CALIFORNIA DEATH  
WITHOUT DEPENDENTS  
UNIT)**  
  
Depublication request denied (case closed)  
The request for an order directing depublication of the opinion in the above-entitled appeal is denied.  
The court declines to review this matter on its own motion. The matter is now final.

**S178867**      B208383 Second Appellate District, Div. 3      **PEOPLE v. CONKLIN  
(STEVEN MICHAEL)**  
  
The time for granting or denying review in the above-entitled matter is hereby extended to March 19, 2010.

**S178896**      A115489 First Appellate District, Div. 2      **PEOPLE v. HELTON, JR.,  
(ARNETT)**  
  
The time for granting or denying review in the above-entitled matter is hereby extended to March 22, 2010.

**S178966**      B210551 Second Appellate District, Div. 2      **PEOPLE v. SMITH (MELVIN)**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
March 24, 2010.

**S179127**      B220513 Second Appellate District, Div. 2      **ANDERSON (WAYMOND)**  
**ON H.C.**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
April 5, 2010.

**S044693** **PEOPLE v. WALL (RANDALL CLARK)**

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 30, 2010.

**S058019**

**PEOPLE v. CONTRERAS  
(GEORGE LOPEZ)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's reply brief by September 2010, counsel's request for an extension of time in which to file that brief is granted to April 19, 2010. After that date, only three further extensions totaling about 150 additional days are contemplated.

**S086355**

**PEOPLE v. LEWIS (KEITH ALLEN)**

Extension of time granted

Good cause appearing, and based upon counsel Pamala Sayasane’s representation that she anticipates filing the appellant’s opening brief by April 9, 2010, counsel’s request for an extension of time in which to file that brief is granted to April 9, 2010. After that date, no further extension is contemplated.

**S105403**

**PEOPLE v. CHHOUN (RUN  
PETER) & PAN (SAMRETH  
SAM)**

Extension of time granted

On application of appellant Run Peter Chhoun and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 16, 2010.

**S177704** E045714 Fourth Appellate District, Div. 2 **IN RE M.M.**

Extension of time granted

On application of Respondent and good cause appearing, it is ordered that the time to serve and file the respondent's opening brief on the merits is extended to March 22, 2010.

**S178986** H035026 Sixth Appellate District

**McCURDY (PATRICK LEE)  
ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to answer to petition for review is hereby extended to February 19, 2010.

Petitioner must file the reply by facsimile on Friday, February 19, 2010, by 1:00 p.m. Original and copies must follow by overnight service.

**S132449**

**PEOPLE v. PETERSON  
(SCOTT LEE)**

Counsel appointment order filed

On request of appellant for appointment of counsel, Lawrence A. Gibbs is hereby appointed to represent appellant Scott Lee Peterson for habeas corpus/executive clemency proceedings related to the above-automatic appeal now pending in this court.

**S171312**

**RAMIREZ (RICHARD M.) ON  
H.C.**

Motion for access to sealed record granted

The Attorney General's "Motion for Access to Sealed Penal Code Section 987.9 Materials Filed in Case Number S012944 for Use in the Pending State Habeas and Federal Habeas Proceedings," filed on September 17, 2009, is granted. The Attorney General is granted access to the following sealed portions of the record on appeal in Case No. S012944:

- 1) the master index and 15 volumes labeled "A771272 SUPPLEMENTAL IV" of the Clerk's Transcript, containing what appear to be 4,223 pages; and
- 2) the two additional volumes labeled "Death Penalty Supplemental IV" of the Clerk's Transcript, containing what appear to be 582 pages.

The Attorney General must supply the personnel and equipment necessary to undertake any examination and copying of the records, which must occur on the premises of the court. These records must remain under seal and their use must be limited solely to pending proceedings in state or federal court arising from petitioner's convictions and judgments of death in case number A722127. (Pen. Code § 987.9, subd. (d).)

**S179325**

Petition denied (accusation)

**BERNSTEIN, ACCUSATION OF****S179438**

Petition denied (accusation)

**JOHNSON, JR.,  
ACCUSATION OF****S179460**

Petition denied (accusation)

**DEL RIO, ACCUSATION OF****S179566**

Petition denied (accusation)

**JONES, ACCUSATION OF****S179912**

Petition denied (accusation)

**KING, ACCUSATION OF****S177716**

Petition for writ of review denied; disbarred  
The petition for a writ of review is denied.

**PRICE ON DISCIPLINE**

The court orders that MICHAEL BRUCE PRICE, State Bar Number 51363, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.  
The court also orders that MICHAEL BRUCE PRICE comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.  
Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S178565**

Recommended discipline imposed

**KORDELL ON DISCIPLINE**

The court orders that JAMES MICHAEL KORDELL, State Bar Number 90869, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, subject to the following conditions:

1. JAMES MICHAEL KORDELL is suspended from the practice of law for a minimum of 90 days, and he will remain suspended until the following requirements are satisfied:
  - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and



- ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

2. JAMES MICHAEL KORDELL must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

JAMES MICHAEL KORDELL must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

JAMES MICHAEL KORDELL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

## **S178567**

## **GEORGE ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT DUANE GEORGE, State Bar Number 185306, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, subject to the following conditions:

1. ROBERT DUANE GEORGE is suspended from the practice of law for a minimum of ninety days, and he will remain suspended until the following requirements are satisfied:
  - i. He makes restitution to Georgia Gutman in the amount of \$5,000 plus 10 percent interest per annum from May 9, 2008 (or reimburses the Client Security Fund to the extent of any payment from the fund to Gutman, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
  - ii. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
  - iii. If ROBERT DUANE GEORGE remains suspended for two years or more as a result of not satisfying the preceding requirements, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. ROBERT DUANE GEORGE must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

ROBERT DUANE GEORGE must also take and pass the Multistate Professional Responsibility

Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

ROBERT DUANE GEORGE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S178568****GARCIA ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN PAUL GARCIA, State Bar Number 222210, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. JOHN PAUL GARCIA must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 7, 2009; and
2. At the expiration of the period of probation, if JOHN PAUL GARCIA has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN PAUL GARCIA must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with membership fees for each of the years 2011 and 2012. If JOHN PAUL GARCIA fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S178569****CRUMBLISH ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that MARTIN GEORGE CRUMBLISH, State Bar Number 49361, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. MARTIN GEORGE CRUMBLISH is suspended from the practice of law for the first 90

days of probation;

2. MARTIN GEORGE CRUMBLISH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 22, 2009; and
3. At the expiration of the period of probation, if MARTIN GEORGE CRUMBLISH has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARTIN GEORGE CRUMBLISH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

MARTIN GEORGE CRUMBLISH must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If MARTIN GEORGE CRUMBLISH fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

## **S178572**

## **COSSIO ON DISCIPLINE**

Recommended discipline imposed

The court orders that CHARLES COLIN COSSIO, State Bar Number 167901, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. CHARLES COLIN COSSIO is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirements are satisfied:
  - i. He makes restitution to Robert Russell in the amount of \$4,924 plus 10 percent interest per year from October 7, 2009 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Robert Russell, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles; and
  - ii. CHARLES COLIN COSSIO must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. CHARLES COLIN COSSIO must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 23, 2009.
3. At the expiration of the period of probation, if CHARLES COLIN COSSIO has complied

with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

CHARLES COLIN COSSIO must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

CHARLES COLIN COSSIO must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If CHARLES COLIN COSSIO fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S178573****COHN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MARK FORREST COHN, State Bar Number 85118, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

MARK FORREST COHN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**BAR MISC. 4186    IN THE MATTER OF THE APPLICATION OF THE COMMITTEE  
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA  
FOR ADMISSION OF ATTORNEYS (MOTION NO. 910 )**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

